

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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December 21, 2004

FROM: MICHAEL E. HAYS, Director
Land Use Services Department/Advance Planning Division

SUBJECT: THIRD CYCLE 2004 GENERAL PLAN AMENDMENTS AND RELATED ACTIONS

RECOMMENDATION: CONDUCT a public hearing to:

- A) **CONSIDER** the Third Cycle 2004 General Plan Amendments for the following projects:
Jeffrey and Martha Himmelrick (APN: 0467-142-15); Kamdat Investment, Inc. (APN: 0234-131-09*); Fouad Boulus (APN: 0232-011-21);
- B) **ADOPT** the Resolution amending the County General Plan included in the Third Cycle 2004 General Plan Amendments;
- C) **READ** title only of proposed Ordinance amending the County General Plan;
- D) **WAIVE** reading of the entire text and adopt;
- E) **APPROVE** the related projects subject to conditions of approval;
- F) **ADOPT** the Findings as recommended by the Planning Commission;
- G) **ADOPT** the Negative Declarations; and
- H) **FILE** the Notices of Determination.

BACKGROUND INFORMATION: Section 65358 of the California Government Code requires that mandatory elements of the jurisdiction's General Plan be amended no more than four times during any calendar year. This action proposes the following three projects for final adoption as the third amendment to the Land Use Element of the San Bernardino County General Plan for 2004.

Project (b) included in this cycle was presented to the Board of Supervisors at a hearing on November 23, 2004. At this hearing, the Board declared an intent to adopt this project to amend the General Plan Official Land Use Districts Maps. The Board will hear projects (a) and (c) on December 21, 2004, as separate agenda items. If the Board, after conducting the public hearings, declares an intent to adopt these projects, they will be continued to the Third Cycle 2004 General Plan Amendments for final adoption. The details for these projects are as follows:

- (a) **APN: 0467-142-15**
Applicant: Himmelrick, Jeffrey and Martha
Proposal: A) General Plan Land Use District Amendment from Rural Living (RL) to Rural Commercial (CR) on 2.55 acres;
 B) Conditional Use Permit to establish a 2,032 square foot restaurant on 2.55 acres.
Community: Helendale/1st Supervisorial District

Approved by:

Record of Action of the Board of Supervisors

Norman A. Kanold, ACA
Economic Development/
Public Services Group

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Location: East side of National Trails Highway, approximately 750 feet south of Rinaldi Road.

JCS/Index: 12324CF1/DN149-250N/2004/GPA01/CUP01.

The Board will hear this project on December 21, 2004, on a separate agenda item. If the Board, after conducting the public hearing, declares an intent to adopt this project, it will be included in the ordinance and resolution for final adoption as the Third Cycle 2004 General Plan Amendment.

(b) **APN: 0234-131-09***

Applicant: Kamdat Investment, Inc.

Proposal: A) General Plan Land Use District Amendment from Single Residential-one acre minimum lot size (RS-1) to Single Residential (RS) on 2.24 acres;
B) Tentative Tract 16738 to create 9 lots on 2.24 acres.

Community: Fontana/2nd Supervisorial District

Location: East end of Mallory Drive, approximately 330 feet west of Live Oak Avenue.

JCS/Index: 12224CF1/W147-99/2004/GPA01/TT16738/TT01.

On November 23, 2004, the Board's vote to declare an intent to adopt this General Plan Amendment was as follows:

Ayes: Postmus, Biane, Hansberger, Aguiar, Young

Noes: None

Absent: None

(c) **APN: 0232-011-21**

Applicant: Boulus, Fouad

Proposal: A) General Plan Land Use District Amendment from Multiple Residential-7,000 square feet per dwelling unit (7M-RM) to General Commercial (CG) on .91 acres;
B) Conditional Use Permit for used car dealership/repair/detail business consisting of 1,750 square foot office, repair shop with two service bays and 6,157 square feet of display area on .91 acres.

Community: Fontana/2nd Supervisorial District

Location: South side of Foothill Blvd., approximately 450 feet west of Beech Avenue.

JCS/index: 12325CF1/W151-81/2004/GPA01/CUP01.

The Board will hear this project on December 21, 2004, on a separate agenda item. If the Board, after conducting the public hearing, declares an intent to adopt this project, it will be included in the ordinance and resolution for final adoption as the Third Cycle 2004 General Plan Amendment.

* Asterisks indicate that more parcel numbers than the one listed are involved for that specific project.

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REVIEW AND APPROVAL BY OTHERS: The Planning Commission reviewed and recommended approval for projects (a) and (b) on September 21, 2004, and reviewed and recommended approval for project (c) on November 18, 2004. The projects included in this cycle were reviewed by Deputy County Counsel Robin Cochran (387-8957) concurrently with the Planning Commission reviews. This Third Cycle grouping was reviewed by Deputy County Counsel Robin Cochran (387-8957) on December 9, 2004, and by the County Administrative Office, Patricia M. Cole, Administrative Analyst III, (387-5346) on December 10, 2004.

FINANCIAL IMPACT: There are no financial impacts associated with the approval of this item.

SUPERVISORIAL DISTRICT(S): 1st and 2nd

PRESENTER: Michael E. Hays, Director, 387-4141.